

FIFTH
DECLARATION OF
ASIF CHAUDHRY

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

CIVIL ACTION NO. 2:17-cv-00141-JLR
Fifth Declaration of Asif Chaudhry

Pursuant to 28 U.S.C. § 1746(2), I Asif Chaudhry, hereby declare as follows:

1. I am the Vice President for International Programs at Washington State University (WSU), Washington State's land grant institution and the second largest public research university in the Pacific Northwest. I have held this position since June 2015. Prior to my current role at WSU, I spent my career working for the United States Government as a Senior Foreign Service Officer, holding numerous leadership positions in the Departments of State, Defense, and Agriculture, including serving as the United States Ambassador to Moldova. I also am a native of Pakistan who attended university in the United States, and ultimately immigrated

1 and gained United States citizenship. I have personal knowledge of the facts set forth in this
2 declaration, and I am competent to testify about them.

3 2. As Vice President for International Programs at WSU, I have responsibility for
4 WSU's international research activities, study abroad programs, international students, and
5 student and faculty exchanges. I am the chief international relations officer at WSU and am
6 responsible for the role of International Programs in carrying out WSU's mission of global
7 engagement, which is "To apply knowledge through local and global engagement that will
8 improve quality of life and enhance the economy of the state, nation, and world." I also manage
9 WSU's programs focusing on establishing strategic partnerships with governments and
10 educational institutions across the globe.

11 3. WSU's global presence includes active research programs in dozens of countries
12 worldwide and study abroad programs in over 70 countries worldwide. The University also has
13 matriculated undergraduate, graduate, and professional students and visiting scholars from many
14 countries worldwide.

15 4. I have reviewed the September 24, 2017, Presidential Proclamation, which
16 suspends immigration from seven countries, suspends certain non-immigrant visas from eight
17 countries, and imposes enhanced screening and vetting requirements on certain visa holders.
18 I also am familiar with the previous Executive Order entitled "Protecting the Nation from
19 Foreign Terrorist Entry Into the United States," which temporarily barred entry into this country
20 of any person who is a citizen of any one of seven countries—Syria, Iraq, Iran, Somalia, Sudan,
21 Libya, and Yemen.

22 5. WSU currently has 140 undergraduate and graduate students who are citizens of
23 the countries impacted by the Presidential Proclamation. In addition, WSU currently has nine
24 faculty, staff, and visiting scholars from these countries. The presence of these students,
25 scholars, faculty, and staff on our campus serves to build international understanding among all
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1 the members of our community. Their presence also enriches the scholarly output of WSU and
2 the educational experience of all WSU students.

3 6. The implementation of the Executive Order had a negative impact on the lives of WSU
4 students and faculty from the listed countries, as well as on WSU as a whole, and the Presidential
5 Proclamation continues those impacts. For these students, faculty, and staff, their family
6 members, colleagues, and friends from their home countries continue to be unable to visit them
7 in the U.S., with few exceptions. Many of these individuals are here in academic programs that
8 last four years or more. The inability to see family and friends is a tremendous hardship. In
9 addition, these individuals greatly fear being denied re-entry if they leave the U.S. They are
10 unable to go home when loved ones die in their home country, or when loved ones wish to share
11 in major life events. As one example, for students and scholars from Iran and Iraq, it is unclear
12 what “additional scrutiny” or “enhanced screening and vetting requirements” as required under
13 the Presidential Proclamation will entail. They fear being subjected to lengthy, invasive
14 searches, and/or being denied re-entry altogether if they leave the U.S. Most reasonably do not
15 believe they can risk jeopardizing their academic or professional programs by leaving. The
16 inability of these individuals to travel not only impacts them tremendously on a personal level,
17 but also limits the scope of academic activities in which they can engage. It therefore also
18 directly harms WSU, its academic research, and its programs.

19 7. Several members of the WSU faculty have experienced and will continue to
20 experience hardship as a direct result of the Executive Order and now the Presidential
21 Proclamation. One post-doctoral fellow from Iran traveled to Germany in January 2017 to
22 defend her Ph.D. at another university. She was scheduled to return to WSU on February 11,
23 2017, to continue her scientific research and faculty position, which is paid from a National
24 Science Foundation Project. She was significantly delayed due to the Executive Order but
25 eventually was permitted to return. Her husband, also Iranian, applied for a dependent visa in
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1 January 2017, and ended up having to wait in Germany for nearly ten months to have his visa
2 application approved. The needless separation of this family has caused significant emotional,
3 mental, and financial stress to them. Their story and those of others deters other highly qualified
4 individuals from applying to attend WSU.

5 8. Another Iranian faculty member applied for his visa in May 2016 to participate,
6 as a visiting scholar, in collaborative research at WSU Vancouver in its mechanical engineering
7 program in the critical area of fatigue life enhancement of joint systems. Due to the travel
8 restrictions, he still has not received a visa, putting this important research on hold and directly
9 impacting WSU's program.

10 9. In addition to students and faculty, WSU has two (2) visiting scholars from the
11 targeted countries who currently are unable to come to WSU. As clarification, the individual
12 mentioned in my prior declaration who was turned away in Amsterdam due to the Executive
13 Order was a student at another university but was coming to WSU as a visiting scholar to do
14 collaborative research. WSU's typical practice is to appoint visiting scholars as adjunct faculty.
15 The other visiting scholar has been in the visa application process and now has been informed
16 he likely will be unable to obtain a visa.

17 10. One WSU student, a Syrian national, entered the U.S. on a student visa but was
18 subsequently granted temporary protection status. He is studying to be a data analyst and
19 software programmer and hopes to have a career helping make computer systems more efficient.
20 He also desperately wants to help his family leave Syria. His immigration status is at risk due
21 to the restrictions on Syrian immigration imposed by the Executive Order and the Proclamation,
22 the tenuous nature of temporary protected status for Syrian nationals, as well as the anti-Syrian
23 climate. He currently survives and continues his education by working multiple jobs, including
24 tutoring his peers in math. He has had to reduce his credit load in order to pay for his education,
25 but is committed to obtaining his degree and helping his family as much as possible.
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1 11. Global engagement is a critical component of WSU’s mission, which is “To apply
2 knowledge through local and global engagement that will improve quality of life and enhance
3 the economy of the state, nation, and world.” The Executive Order, and now the Presidential
4 Proclamation, negatively impact WSU’s ability to fulfill its mission as the state’s land grant
5 university. Like many institutions, WSU has suffered a significant decline in applications from
6 international students since the initial Executive Order was issued. International students from
7 many countries are discouraged by the unwelcoming climate these restrictions have created and
8 are choosing locations outside the U.S. for their studies, despite a significant increase in our
9 recruiting efforts.

10 12. The restrictions also have greatly increased the processing time for all visas, not
11 just visas of those from impacted countries. As an example, WSU’s Graduate School had two
12 Fulbright scholars from countries not on the list who were supposed to arrive at WSU for the fall
13 semester but whose visas were delayed due to increased processing times. Their appointments
14 now cannot begin until the spring semester, which puts them out of sync with the other students
15 in their academic program and creates a significant disadvantage for them. These types of delays
16 have never occurred in the past, not even after 9/11.

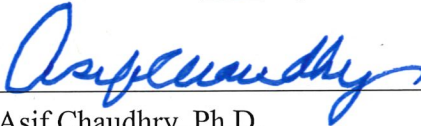
17 13. The travel restrictions also impact major university-wide initiatives. Like other
18 peer institutions nation-wide, WSU has been working on expanding its international student
19 population to increase global awareness and knowledge, enrich the experience of all students,
20 and increase diversity. In fact, WSU recently launched a major initiative to do so, partnering
21 with other entities to create a new international student program (INTO WSU). The success of
22 this enterprise is dependent on the ability of students from many countries worldwide to travel
23 to and study in the U.S. and WSU.

24 14. These are only a few examples of the difficulties faced by the WSU community
25 as a result of the Executive Order and now the Presidential Proclamation. It is clear that these
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1 restrictions are having a significant negative effect on the willingness of students, scholars, and
2 faculty from majority Muslim countries to apply to come to a U.S. university to advance their
3 scholarship and their academic careers. They are also causing students from other countries to
4 re-consider their plans to study in the U.S. Each of these international students currently pays a
5 minimum of \$42,216 per academic year in tuition and fees to WSU. When they are unable to
6 obtain visas, are denied entry, or decide that study in the United States is either too risky or no
7 longer feasible, WSU loses significant revenue each academic year. Thus, the cumulative effect
8 of these restrictions is negatively impacting WSU programmatically, academically, and
9 financially.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 Executed on this 9th day of October, 2017

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14 Asif Chaudhry, Ph.D.